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FILE: PA 00-0118

DATE: January 3, 2001

TO: File/Record/Applicant

FROM: Thomas B. Mathews, Director, Planning and Development Services Department

SUBJECT: Planning Application PA00-0118, an administrative Site Development Permit for grading within Planning Area 15 of the Newport Ridge Planned Community (PC) to create mass graded pads for future development with the material exported to Planning Areas 2C, 5, and 6 of the Newport Coast Planned Community as a function of the approved grading plan, per California Coastal Commission approval of Revised MCDP – 7th Amendment- CDP No. A-5-IRC-99-301.

APPLICANT: Irvine Community Development Company – Property Owner
Culbertson, Adams and Associates – Agents

I. NATURE OF PROJECT:

Site Development Permit to permit grading of Planning Area 15 in the Newport Ridge Planned Community to create mass graded pads for future development. The grading is located within a current subdivision of a portion of Block 134 of the Irvine Subdivision as per map filed in book I, page 88 and a portion of lot 11, tract 14487, as per map filed in book 692, pages 1 to 8, both of miscellaneous records of Orange County. Vesting Tentative Tract Map 15811 has been filed which includes the project site as a portion of the map. Additionally, a final map (Tract Map 16166) has been prepared for the planning area and will be processed by PDSD, Subdivision and Grading Services Division. Planning Area 15 is designated for Medium High Density Residential (NC) [(NC) denotes combined zoning for Newport Ridge PC planning areas contiguous to the Newport Coast PC and establishes consistent development standards].

The proposed grading operations will include removing approximately 1,200,000 cubic yards of material from Planning Area 15 and relocating that material into Planning Areas 2C, 5, and 6 of the Newport Coast PC. Additionally, approximately 980,000 cubic yards of remedial grading will be required within Planning Area 15. Remedial grading activities will extend into adjacent Planning Area 20 of Newport Ridge PC, an Open Space planning area. However, Chapter II.B.11 permits remedial grading in development and open space planning areas outside an area of immediate development to address geotechnical and soils engineering issues. The mass grading within Planning Area 15 will result in large-lot residential pads for future review and development. The material that is proposed to be exported into the Newport Coast Planned

PA00-0118

Community will be utilized to implement portions of the revised master grading plan approved California Coastal Commission CDP A-5-IRC-99-301, which approved the import of approximately 1.2 million cubic yards of material into the Coastal Zone.

The Master CDP - Seventh Amendment (PA 970152) for Phases IV-3 and IV-4 within the Newport Coast PC was approved by the Planning Commission on July 21, 1998 and consisted of Planning Areas 4A, 4B, 5, 6, 12C and 12E. The Seventh Amendment provided for the mass grading and backbone infrastructure installation for these areas. The County approval of the Seventh Amendment was appealed to the California Coastal Commission. Appeal issues considered by the Coastal Commission dealt primarily with drainage and (runoff) water quality issues. The Coastal Commission's subsequent approval of the Seventh Amendment included revisions to the project to address issues raised. The Coastal Commission review and subsequent approval of the Seventh Amendment revised the Master CDP - 7th Amendment to include the aforementioned Planning Areas as well as portions of Planning Area 2C and Planning Area 15 of the Newport Ridge Planned Community for the purpose of proposed grading to create development pads and new detention basins in the context of the comprehensive master drainage and water quality plan. This Site Development Permit request permits such grading outside of the coastal boundary since the Coastal Commission does not have permit authority beyond the Coastal Zone boundary. However, the export of material to the Coastal Zone (PA's 2C, 5, and 6) has been approved and is supported by the Revised MCDP 7th Amendment approval by the Coastal Commission. The Coastal Commission will formally approve this action upon issuance of the revised MCDP. Therefore, no fill dirt is to be imported into the Coastal Zone until the California Coastal Commission has issued MCDP A-5-IRC-99-301.

Zoning Code section 7-9-139(a) states, "grading and excavation operations are permitted in all districts including planned communities and specific plan areas, in compliance with the regulations of the Orange County Grading and Excavation Code. When such operations involve the extraction or relocation of more than five thousand (5,000) cubic yards such operations are also subject to the approval of a Site Development Permit application per Section 7-9-150".

The proposed project has been reviewed by PDSD Resources Division staff and has been determined to be consistent with current NCCP boundaries and policies. Recommended conditions of approval have been included, as well as related mitigation measures from the environmental documentation, that address the required monitoring and compliance with the Section 10A Permit and NCCP/Implementation Agreement criteria.

All grading activities will be completed in a manner consistent with the Orange County Grading and Excavation Code and Grading Manual. All manufactured slopes supporting future residential pads will be compacted to achieve a County of Orange 1.5 factor of safety standard.

II. REFERENCE: (Authority for Administrative action is given by what ordinance, regulation, etc.)

PA00-0118

Orange County Zoning Code sections 7-9-139 "Grading and Excavation", 7-9-150 "Discretionary Permits and Procedures" and Chapter II, General Regulations of the Newport Ridge Planned Community, Planned Community Program provide authority for administrative Site Development Permit approval.

III. ENVIRONMENTAL DOCUMENTATION:

The proposed project is covered by Final EIR No. 544A (certified on August 16, 1995) and Final EIR No. 569 (certified on July 22, 1998). Prior to project approval, the decision-maker has asserted that together, they are adequate to satisfy the requirements of CEQA for the proposed project.

IV. CERTIFICATION:

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Thomas B. Mathews, Director
Planning and Development Services Department

By: _____

C. M. Shoemaker, Chief
CPSD/Site Planning Section

APPEAL PROCEDURE

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

ATTACHMENTS:

Appendix A - Findings

Appendix B - Conditions of Approval